

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONSOLIDATED UNDER  
CASE NO. 05-10155 PBS

Yisel Dean, Independent Administratrix of the )  
Estate of Steven Dean, deceased, and on behalf of )  
all statutory beneficiaries, )

Plaintiff, )  
vs. )

)  
Raytheon Company, a Delaware Corporation, )  
Raytheon Aircraft Company, a Kansas )  
Corporation, Raytheon Aircraft Credit )  
Corporation, a Kansas Corporation, Raytheon )  
Airline Aviation Services LLC, a Kansas )  
Corporation, and Raytheon Aircraft Parts )  
Inventory and Distribution Company LLC, a )  
Kansas Corporation )

)  
Defendants. )  
)

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Lisa A. Weiler, Administratrix of the Estate of )  
Scott A. Knabe, deceased, and on behalf of all )  
statutory beneficiaries, )

Plaintiff, )  
vs. )

)  
Raytheon Company, a Delaware Corporation, )  
Raytheon Aircraft Company, a Kansas )  
Corporation, Raytheon Aircraft Credit )  
Corporation, a Kansas Corporation, Raytheon )  
Airline Aviation Services LLC, a Kansas )  
Corporation, and Raytheon Aircraft Parts )  
Inventory and Distribution Company LLC, a )  
Kansas Corporation )

)  
Defendants. )  
)

**Case No.: 05 CV 10155 PBS**

**Case No.: 05 CV 10364 PBS**

**MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION IN LIMINE TO**  
**PRECLUDE USE OF ANY DEMONSTRATIVE EVIDENCE OR MOCK-UPS**

**CREATED BY PLAINTIFFS' EXPERT WITNESS, MR. DONALD E. SOMMER OR HIS STAFF OR ASSOCIATES**

Plaintiffs, Yisel Dean and Lisa A. Weiler, by and through their undersigned counsel, submit this Memorandum in Opposition to Defendants' Motion in Limine to Preclude Use Of Any Demonstrative Evidence Or Mock-Ups Created By Plaintiffs' Expert Witness, Mr. Donald E. Sommer Or His Staff Or Associates.

As grounds therefore, Plaintiffs state the following:

The Defendants seek to preclude the introduction of any demonstrative exhibits prepared by Donald Sommer. Defendants contend that they have been denied access to examine this material. In point of fact, Defendants were invited to view the demonstrative exhibits on the day Mr. Sommer was deposed, and they declined to do so. The Defendants have never since formally requested to see the demonstrative exhibits, which are stored at the Boston office of Dwyer & Collora.

The Plaintiffs attorneys stand ready to permit Defendants' attorneys to examine these exhibits at any mutually agreeable time.

**CONCLUSION**

For all the foregoing reasons, Plaintiffs respectfully request that Raytheon's motion in limine be denied.

**REQUEST FOR ORAL ARGUMENT**

In an effort to assist this Court in its determination of this motion, Plaintiffs respectfully request the opportunity to present oral argument pursuant to local rule 7.1(D).

Respectfully Submitted,

By: /s/ Mary Schiavo  
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Don McCune (pro hac vice)

And

David A. Bunis (BBO No. 550570)  
Jacob T. Elberg (BBO No. 657469)  
DWYER & COLLORA, LLP  
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(617) 371-1000

Dated: January 30, 2007

**CERTIFICATE OF SERVICE**

I, Mary Schiavo, hereby certify that a true and correct copy of this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 30, 2007.

/s/ Mary Schiavo